

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ROBERT WARD GARRISON,

Plaintiff,

v.

DOUG WADDINGTON, *et al.*,

Defendants.

Case No. C05-5487 RJB/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

On June 19, 2006, the court denied plaintiff's motion to compel. (Dkt. # 29). The court's order was based, primarily, on plaintiff's failure to meet and confer prior to filing his motion as required by Local Rule 37(a)(2). After carefully reviewing plaintiff's motion for reconsideration and the record, the court ORDERS as follows:

(1) Plaintiff's motion for reconsideration (Dkt. # 31) is **DENIED**. Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error in the prior ruling or a showing of new facts or legal authority which could not have been brought to the court's attention earlier with reasonable diligence." Local Rule CR 7(h)(1). Here, plaintiff has identified no error in the court's order, nor presented any new facts or legal authority that suggest reconsideration is appropriate. While plaintiff is correct that there is no court rule

1 requiring him to use the prison mail system to send discovery requests, he has provided the court
2 with no affidavit, declaration of service or any other proof of service from February 2006 to support
3 his assertion that the discovery request was served on counsel for defendants.

4 (2) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable
5 Robert J. Bryan.

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7 DATED this 18th day of July, 2006.

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10 Karen L. Strombom
11 United States Magistrate Judge
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